



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

IN VIVO CTL ELICITATION BY HEAT SHOCK PROTEIN FUSION PROTEINS MAPS TO A DISCRETE DOMAIN AND IS CD4⁺ T CELL-INDEPENDENT

the specification of which (check one)

☐ is attached hereto.

☒ was filed on January 16, 2001 as United States Application

Number or PCT International Application No. 09/761,534

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			Priority Not Claimed	Certified Copy Filed?	
				YES	NO
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

60/176,143
(Application Number)

January 14, 2000
(Filing Date)

(Application Number)

(Filing Date)

Full name of second joint

inventor, if any Joan F.L. Richmond

Inventor's Signature  Date 3.13.01

Residence 11 Palmer Street

Arlington, Massachusetts 02474

Citizenship U.S.

Post Office Address Same as above

Full name of third joint

inventor, if any Bryan K. Cho

Inventor's Signature _____ Date _____

Residence 1680 Daily Court

San Leonardo, California 94577

Citizenship U.S.

Post Office Address Same as above.

Full name of fourth joint

inventor, if any Deborah Palliser

Inventor's Signature _____ Date _____

Residence 12-16 Ellery Street, Apt. 105

Cambridge, Massachusetts 02138

Citizenship Great Britain

Post Office Address Same as above.

Full name of fifth joint

inventor, if any Jianzhu Chen

Inventor's Signature _____ Date _____

Residence 17 Stearns Road, #6

Brookline, Massachusetts 02146

Citizenship U.S.

Post Office Address Same as above.

Full name of sixth joint

inventor, if any Herman N. Eisen

Inventor's Signature _____ Date _____

Residence 9 Homestead Street

Waban, Massachusetts 02468

Citizenship U.S.

Post Office Address Same as above.

Full name of seventh joint

inventor, if any Richard A. Young

Inventor's Signature _____ Date _____

Residence 216 Highland Street

Weston, Massachusetts 02493

Citizenship U.S.

Post Office Address Same as above.

::ODMA\MHODMA\iManage:201289;1

DOCKET NO. 0399.2006-003



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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<u>Prior Foreign Application(s)</u>			<u>Priority</u> <u>Not</u> <u>Claimed</u>	<u>Certified</u> <u>Copy Filed?</u>	
				<u>YES</u>	<u>NO</u>
<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Day/Month/Year filed)	[]	[]	[]
<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Day/Month/Year filed)	[]	[]	[]
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(Application Number)

January 14, 2000
(Filing Date)

(Application Number)

(Filing Date)

-2-

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

PCT/US00/32831 (Application Serial No.)	December 1, 2000 (Filing date)	pending (Status: patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing date)	_____ (Status: patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing date)	_____ (Status: patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing date)	_____ (Status: patented, pending, abandoned)

As a named inventor, I hereby appoint the attorneys and/or agents associated with
 Hamilton, Brook, Smith & Reynolds, P.C., Two Militia Drive, Lexington, Massachusetts 02421-4799
 Customer No. 21005,

and Patricia Granahan, Esq., Registration No. 32,227, of Whitehead Institute for Biomedical Research,
Nine Cambridge Center, Cambridge, Massachusetts 02142.

to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please send correspondence to:

[X] Customer No. 21005
 HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
 Two Militia Drive
 Lexington, MA 02421-4799

Direct telephone calls to: Anne J. Collins Telephone No.: 781-861-6240

Direct facsimiles to: Anne J. Collins Facsimile No.: 781-861-9540

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

Full name of sole

or first inventor Qian Huang

Inventor's Signature Qian Huang Date 9/16/01

Residence 79 Beverly Road

Arlington, Massachusetts 02474

Citizenship China P.R.

Post Office Address Same as above

-3-

Full name of second joint

inventor, if any Joan F.L. Richmond

Inventor's Signature _____ Date _____

Residence 11 Palmer StreetArlington, Massachusetts 02474Citizenship U.S.Post Office Address Same as above

Full name of third joint

inventor, if any Bryan K. Cho

Inventor's Signature _____ Date _____

Residence 1680 Daily CourtSan Leonardo, California 94577Citizenship U.S.Post Office Address Same as above

Full name of fourth joint

inventor, if any Deborah Palliser

Inventor's Signature _____ Date _____

Residence 12-16 Ellery Street, Apt. 105Cambridge, Massachusetts 02138Citizenship Great BritainPost Office Address Same as above.

Full name of fifth joint

inventor, if any Jianzhu Chen

Inventor's Signature _____ Date _____

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Full name of sixth joint

inventor, if any Herman N. Eisen

Inventor's Signature _____ Date _____

Residence 9 Homestead Street

Waban, Massachusetts 02468

Citizenship _____ U.S.

Post Office Address Same as above

Full name of seventh joint

inventor, if any Richard A. Young

Inventor's Signature _____ Date _____

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and Patricia Granahan, Esq., Registration No. 32,227, of Whitehead Institute for Biomedical Research,
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or first inventor Qian Huang

Inventor's Signature _____ Date _____

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Arlington, Massachusetts 02474

Citizenship	China P.R.
-------------	------------

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Full name of second joint

inventor, if any Joan F.L. Richmond

Inventor's Signature _____ Date _____

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inventor, if any Bryan K. Cho

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inventor, if any Deborah Palliser

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Citizenship U.S.

Post Office Address Same as above.

Full name of seventh joint

inventor, if any Richard A. Young

Inventor's Signature  Date 3/15/01

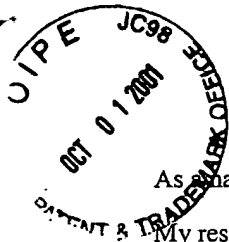
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Inventor's Signature J. Chen Date 9/25/01

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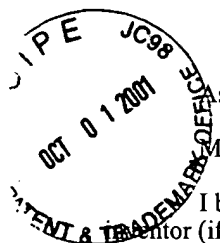
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

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_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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60/176,143
(Application Number)

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(Filing Date)



WHI99-23

Full name of second joint

inventor, if any Joan F.L. Richmond
Inventor's Signature _____ Date _____
Residence 11 Palmer Street
Arlington, Massachusetts 02474
Citizenship U.S.
Post Office Address Same as above

Full name of third joint

inventor, if any Bryan K. Cho
Inventor's Signature Bryan Cho Date 3/28/01
Residence 1680 Daily Court
San Leandro, California 94577
Citizenship U.S.
Post Office Address Same as above.

BC
3/28/01

Full name of fourth joint

inventor, if any Deborah Palliser
Inventor's Signature _____ Date _____
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Cambridge, Massachusetts 02138
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inventor, if any Jianzhu Chen
Inventor's Signature _____ Date _____
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Citizenship U.S.

Post Office Address Same as above.

::ODMA\MHODMA\iManage;201289;1

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(d))-NONPROFIT ORGANIZATION

DOCKET NUMBER: 0399.2006-003

Applicant or Patentee: Qian Huang, Joan F.L. Richmond, Bryan K. Cho, Deborah Palliser, Manzhu Chen, Herman N. Eisen and Richard A. Young
Serial or Patent No.: 09/761,534
Filed or Issued: January 16, 2001
Title: In Vivo CTL Elicitation by Heat Shock Protein Fusion Proteins Maps to a Discrete Domain and is CD4⁺ T Cell-Independent

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION Whitehead Institute for Biomedical Research
ADDRESS OF NONPROFIT ORGANIZATION Nine Cambridge Center
Cambridge, Massachusetts 02142

TYPE OF NONPROFIT ORGANIZATION:

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C.501(a) and 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF
LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED
STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

I hereby declare the rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
☒ each such person, concern or organization is listed below.

StressGen Biotechnologies, Corp.
120-4243 Glanford Avenue
Victoria, British Columbia
V8Z 4B9 Canada

Massachusetts Institute of Technology
77 Massachusetts Avenue
Cambridge, Massachusetts 02139

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Patricia Granahan, Esq.
TITLE IN ORGANIZATION OF PERSON SIGNING Intellectual Property Manager
ADDRESS OF PERSON SIGNING Whitehead Institute for Biomedical Research, Nine Cambridge Center
Cambridge, Massachusetts 02142

SIGNATURE Patricia Granahan DATE March 26, 2001

::ODMA\HODMA\Manage;201842;1

STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))-SMALL BUSINESS CONCERN

DOCKET NUMBER: 0399.2006-003

Applicant or Patentee: Qian Huang, Joan F.L. Richmond, Bryan K. Cho, Deborah Palliser, Jianzhu Chen, Herman N. Eisen and Richard A. Young

Application or Patent No.: 09/761,534

Filed or Issued: January 16, 2001

Title: In Vivo CTL Elicitation by Heat Shock Protein Fusion Proteins Maps to a Discrete Domain and is CD4⁺ T Cell-Independent

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN StressGen Biotechnologies, Corp.

ADDRESS OF SMALL BUSINESS CONCERN 120-4243 Glanford Avenue

Victoria, British Columbia, V8Z 4B9 CANADA

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416 or you may call 202-205-6618.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate statements as to their status as small entities. No rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
☒ each such person, concern, or organization is listed below.

Whitehead Institute for Biomedical Research
Nine Cambridge Center
Cambridge, Massachusetts 02142

Massachusetts Institute of Technology
77 Massachusetts Avenue
Cambridge, Massachusetts 02139

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING DANIEL L. KORPOLINSKI

TITLE OF PERSON IF OTHER THAN OWNER PRESIDENT & CEO

ADDRESS OF PERSON SIGNING STRESS GEN BIOTECHNOLOGIES CORP, 350-4243 GLANFORD AVE., VICTORIA, BC
CANADA V8Z 4B9

SIGNATURE Daniel L. Korpolski DATE _____

(37 CFR 1.9(f) & 1.27(d))-NONPROFIT ORGANIZATION

DOCKET NUMBER: 0399.2006-003

Applicant or Parent(s): Qian Huang, Joun F. L. Richmond, Bryan K. Cho, Deborah Palliser, Jianzhu Chen, Herman N. Eisen and Richard A. Young
 Serial or Patent No.: 09/761,534
 Filed or Issued: January 16, 2001
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E 1 1038 (decl)
 OCT 01 2001
 TYPE ORS
 PATENT & TRADEMARK OFFICE
 X

~~I hereby~~ declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION

Massachusetts Institute of Technology

ADDRESS OF NONPROFIT ORGANIZATION

77 Massachusetts Avenue

Cambridge Massachusetts 02139

TYPE OF NONPROFIT ORGANIZATION:

UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)

(CITATION OF STATUTE

WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C 501(a) and 501(c)(3)) IF
LOCATED IN THE UNITED STATES OF AMERICA

1. WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE)

(NAME OF STATE

(CITATION OF STATUTE)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees in the United States Patent and Trademark Office regarding the invention described in:

[] the specification filed herewith with title as listed above.
[X] the application identified above.
[] the parent identified above.

I hereby declare the rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, owner or organization having rights in the invention must file separate verified statements averring to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below

no such person, concern, or organization exists.

[X] each such person, concern or organization is listed below

StressGen Biotechnologies, Corp
120-4243 Glenford Avenue
Victoria, British Columbia
V8Z 4B9 Canada

Whitehead Institute for Biomedical Research
Nine Cambridge Center
Cambridge, Massachusetts 02142

I acknowledge the duty to file, in this application or parent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

NAME OF PERSON SIGNING Rita Filipowicz

TITLE IN ORGANIZATION OF PERSON SIGNING Parent Administrator

ADDRESS OF PERSON SIGNING Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, Massachusetts 02139

SIGNATURE *Stefan Filipovic* DATE 9/27/01
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